

REMARKS:

Claims 1 and 3 - 30 are in the case and presented for consideration.

This amendment is accompanied by a check in the amount of \$260.00 which includes the fee for a one-month extension of time for a small entity and the fee for two additional independent claims beyond three, again for a small entity.

The Examiner has objected to the specification at paragraph [0071] with respect to the reference numeral 72. This numeral is now used to describe a structure called either a "connection bridge" or a "pivot connection" which are the same thing as clearly evident from the specification and drawings. Reference to the "tooth" was actually referring to element 74 and appropriate correction has been made.

The Examiner has objected to claims 1 - 30 as being indefinite under 35 U.S.C. 112, second paragraph. Independent claims 1 and 18 as well as the additional independent claims based on claim 1 have been amended to avoid the indefinite language "if necessary" and all the claims are now believed to be in proper form under 35 U.S.C. 112, second paragraph.

The Examiner's indication of allowability for claims 20, 22, 26, 27, 28 and 30 is acknowledged with thanks. It is noted that the Examiner has raised no prior art rejection against claims 2, 4, 11, 12, 13, 15 and 17 and that all of these claims except claim 17 correspond to subject matter found in allowable claims 20, 22, 26 - 28 and 30.

Considering the prior art and the Examiner's comments, it is believed therefore that these claims are also allowable over the prior art.

Claim 1 has been amended to incorporate the subject matter of claim 2 and it as well as all of its dependent claims are therefore believed to be allowable and in condition for allowance.

Claim 4 is now presented as an independent claim and is likewise believed to be in condition for allowance.

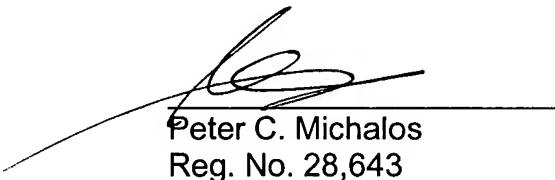
Claim 11 is also presented as an independent claim as is claim 15 and these claims are likewise believed to be in condition for allowance.

Claim 18 which was rejected as being fully anticipated by either the Bunke or Pollard references, has been amended to incorporate the subject of claim 17. Claim 18 now defines the invention as best illustrated in Fig. 7 of the present application as including, as parts of the length adjusting means, a flexible toe plate and a heel plate slidably engaged to the toe plate with biasing means between the toe and heel plates for biasing the two plates apart. This, in conjunction with the lock defined in amended claim 18 and present in claim 17, permits the shoe cover of the present invention to have its length adjusted without use of the hands, namely by using the other foot to kick the heel forward and properly seat the shoe in the cover. This is important for the present invention which is meant as a cover for shoes while walking inside and not as a ski-boot mechanism as in Bunke or a shoe cleat covering mechanism as in Pollard. While Pollard discloses a length adjusting mechanism the adjustment must be made using the hands when the product is not engaged to the shoes (see for example Fig. 19 for the mechanism of adjusting one embodiment of the Pollard patent) and thus is not adapted for hands-free use which is essential for the present invention in view of its intended purpose as fully explained in the specification. This purpose includes the ability for someone to simply step into the shoe cover and have it properly engage the shoes when an individual enters a house where a shoes-off policy exists.

Claim 18 and the claims dependent thereof are thus also believed to be in condition for allowance.

By this amendment thus the application and claims are believed to be in condition for allowance, and further favorable action is respectfully requested.

Respectfully submitted,



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